

Our Reference: MOR-248-A

Response to Office Action

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Dated: December 11, 2006

**Amendments to the Drawings:**

The attached sheet(s) 1-13 of drawings include changes to Figs.12-14 only. These sheets, which includes Figs.1-14, replaces the original sheet including Figs.1-14.

Attachment: Replacement Sheets 1-13.

REMARKS

Claim 1 has been amended. Claims 1-14 remain in the case. It is noted by the Applicant and confirmed by the Examiner that there are no claims 15-18.

Figures 12-14 have now been amended to include the legend of - - prior art - - to illustrate old material. Replacement sheets 1-13 are provided including all of the figures 1-14.

Claims 1-14 were rejected under 35 USC 112, 2<sup>nd</sup> paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In particular the Examiner requested to amend the claims to either claim a sub-combination or the combination of an elevated device and television. Claim 1 has been amended to claim the sub-combination of an elevator device.

Claims 1-4 were rejected under 35 USC 102(b) as being anticipated by Figures 12-14. The Examiner alleges that the Figures 12-14 disclosed all of the recited elements of claims 1-4.

The rejection of the claims 1-4 is traversed. Figures 12-14 do not disclose all of the recited elements of claims 1-4. The motor illustrated in Figures 12-14 represent a rotary motor motion generated motor as recited: "a motor to rotated the shaft of the ball screw 55" in paragraph [0005] of the specification. Claims 1-4 require a linear motor which is a rectilinear motion generated motor. The linear motor from moving the movable cylinder up and down for the elevated device of the present invention is not shown or disclosed in any of the cited prior art.

The Examiner stated that claims 5-14 would be allowed if rewritten to overcome the rejections under 35 USC 112, 2<sup>nd</sup> paragraph set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims. The allowance of claims 5-14 is noted. However, the applicant believes that claim 1 is also allowable. Therefore, claims 5-14 are not amended at this time.

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This amendment should place this case in condition for passing to issue. Such action is requested. If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

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